UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW HAMPSHIRE

KAREN TESTERMAN LYNN-DIANE BRIGGS and WAYNE PAUL SAYA SR.,))))
Plaintiffs)
v.) Case No. 1:23-cv-00499-JL-AJ
DAVID SCANLAN, SECRETARY OF STATE FOR NEW HAMPSHIRE and CHRIS AGER, NEW HAMPSHIRE REPUBLICAN STATE COMMITTEE))))
Defendants)))

<u>DEFENDANTS CHRIS AGER AND THE NEW HAMPSHIRE REPUBLICAN STATE</u> <u>COMMITTEE'S MOTION TO DISMISS</u>

Defendants Chris Ager and the New Hampshire Republican State Committee, (jointly, the "NHRSC"), by and through their attorneys, Cleveland, Waters and Bass, P.A., move to dismiss the plaintiffs' complaint pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). In support of this motion, the NHRSC respectfully refers the court to its memorandum of law in support of its motion to dismiss.

WHEREFORE, the NHRSC respectfully moves that this court dismiss the plaintiffs' complaint because the plaintiffs' lack standing and they have failed to state a claim for which relief can be granted.

Respectfully submitted,

CHRIS AGER, NEW HAMPSHIRE REPUBLICAN STATE COMMITTEE By Their Attorneys,

Date: December 8, 2023 /s/Jacob M. Rhodes

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CERTIFICATE OF SERVICE

I hereby certify that the within document is being served electronically through the court's electronic filing system upon counsel of record and all other parties who have entered electronic service contacts in this docket. In addition, the following parties have been served by email and U.S. Mail:

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Date: December 8, 2023 /s/ Bryan K. Gould Pryan K. Gould For

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